

**Notice of Allowability**

Application No.

10/644,181

Examiner

Shay L. Karls

Applicant(s)

KA NAM, PETER HO

Art Unit

3723

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/07.
2. ☒ The allowed claim(s) is/are 1-2, 4-12, 14-21, 23 (renumbered 1-2, 3-11, 12-19, 20).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>1/14/08</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other ____.   |

/Shay L Karls/  
Primary Examiner, Art Unit 3723

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Timothy Hodgkiss on 1/14/08.

The application has been amended as follows:

Claim 6, line 1, change "3" to ---1---

Claim 7, line 1, change "3" to ---1---

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Claim 1 teaches that the sweeper comprises a frame having a first surface with a wheel well rising from and directly attached to it. There is a height adjustment column housing disposed over and enclosing the wheel well. The column rises from and is directly attached to the first surface of the frame. Further there is an adjustable wheel assembly is located within the column housing.

Claim 11 teaches a frame having a first surface with a wheel well rising from the first surface. There is further a column housing disposed over and enclosing the wheel well, and is directly attached to the first surface of the frame. There is an adjustable wheel assembly located in the column housing.

Claim 21 teaches a frame having a first surface with a wheel well defined by the frame. There is a height adjustment column disposed over and enclosing the wheel well. The housing rises from and is directly attached to the first surface of the frame. There is an adjustable wheel assembly located within the housing and the wheel well at least partially receives a wheel maintained by the adjustable wheel well.

Gomez and Parker fail to teach a column housing directly attached to a first surface of a frame. The references also fail to teach that the wheel assembly is located within a wheel well that is enclosed by the column housing.

Patzold ('173) and Patzold ('371) fail to teach that the column housing directly attached to the first surface of the frame and that the housing is disposed over and enclosing a wheel well that rises from a first surface of the frame. Further the references fail to teach an adjustable wheel assembly positioned within the column housing.

Haaga ('611) and Haaga ('367) fail to teach a column disposed over and enclosing a wheel well, with a wheel assembly located within the column housing.

The references listed above fail to teach all the essential elements of the claims and it would not have been obvious to modify these references to achieve the claimed invention since there is no motivation or teaching to do so. Therefore, for the above reasons, the application is free from prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L. Karls whose telephone number is 571-272-1268. The examiner can normally be reached on 7:00-4:30 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shay L Karls/  
Primary Examiner, Art Unit 3723